



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

remedial right on which the act is based is wholly irreconcilable with the remedial right which the subsequent action seeks to enforce. *Conner v. Palinquist*, 61 Ill., App. 551; *Heidelberg v. Na'l. Bank*, 33 N. Y. Supp. 794. And it has been held that where a plaintiff has recovered judgment, realizing merely a nominal sum, that this does not preclude his asserting in a subsequent action that he has a lien on the personalty of the defendant. *Wemple v. Hawenstein*, 46 N. Y., Supp. 288. So a suit on a note against a corporation is no bar to a second suit against the signers of the note who were officials of the corporation. *Bank of Brooklyn v. Wallis*, 32 N. Y., Supp. 381.

EXECUTORS AND ADMINISTRATORS—ATTORNEY OF ADMINISTRATION—RIGHT TO COMPENSATION.—*GOODMAN v. GRIFFITH*, 134 S. W., 1051 (Mo.).—*Held*, that an attorney does not forfeit his right to compensation from the estate for services rendered the administrator and his wife in presenting a claim in their favor against decedent's estate. Norton J., *dissenting*.

Subject to the general requirement of good faith and reasonable prudence, an executor or administrator is entitled to employ and pay an attorney for advice in reference to the management of the estate. *Smyley v. Reese*, 53 Ala., 89; *Roll v. Mason*, 9 Ind., App. 651. An attorney's fees contracted in procuring letters of administration is not a proper charge against the estate. *Wilbur v. Wilbur*, 17 Wash., 683; *In re Byrne's Estate*, 122 Cal., 260. But such fees are allowed an executor in contesting a will. *Bradley v. Andress*, 30 Ala., 80; *Bratney v. Curry*, 33 Ind., 399; *contra*, *In re Parson's Estate*, 65 Cal. 240. But where legal proceedings are made necessary by wrongful acts of the administrator or executor then the attorney cannot collect his fees from the estate. *Jacoway v. Hall*, 67 Ark., 340; *Ross v. Battle*, 113 Ga., 742. And contrary to the principal case, an estate is not chargeable with the services of an attorney which are rendered an administrator as an individual. *Wilkinson v. Ward*, 42 Ill., App. 541; *Noble v. Jackson*, 132 Ala., 230. But where it concerns him both personally and officially it is proper to apportion the counsel fees. *Roll v. Mason*, 9 Ind., App. 651; *Nelson v. Bush*, 9 Dana (Ky.), 104.

GAMING—ACTION TO RECOVER MONEY LOST—PAYMENT.—*MANN v. GORDON*, 110 PAC., 1043 (N. M.).—*Held*, that a plaintiff who engaged in a gambling transaction, and paid his loss by check some six weeks later, could recover under a statute providing that any person losing money at gambling might recover. Wright and Parker, JJ., *dissenting*.

The general common law rule is to the effect that money lost at gaming, when the parties are in *pari delicto*, may not be recovered. *Weyburn v. White*, 22 Barb. (N. Y.), 82; *West v. Holmes*, 26 Vt., 530, though equity might grant relief to the loser; *Thomas v. Watson*, 9 Md. 536, note, and would not allow the innocent indorsee of a note given for gaming to sue the drawer. *Talbot v. Hubble*, 2 Strange, 1154. By statute, however, in some jurisdictions, the loser may recover at law. *Jacob v. Clark*, 115 Ky., 255; *Trumbo v. Finley*, 18 S. C., 305. But the majority opinion in the